

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

BRANDON D. GREEN,

Plaintiff

v.

LAWRENCE SAMPLES, et al.,

Defendants

Case No.: 2:19-cv-02006-APG-VCF

**Order Dismissing Defendants Esporza,
Gonzales, Gaines, and Williams for Failure
to Timely Serve Them**

On March 30, 2021, the summonses for defendant correctional officers Esporza, Gaines, Gonzales, and Williams were returned unexecuted with the notation that “LVMPD unable to locate” these individuals. ECF No. 24. Since then, plaintiff Brandon Green has taken no action to serve these defendants. I therefore ordered him to show cause why his claims against these defendants should not be dismissed without prejudice for failure to timely serve them, as required under Federal Rule of Civil Procedure 4(m). Green responded that he is a pro se inmate who has no means to serve the defendants himself. Green has not shown good cause or excusable neglect to extend the service deadline. *See Lemoge v. United States*, 587 F.3d 1188, 1198 (9th Cir. 2009). His status as a pro se inmate does not excuse his failure to take any action to further identify, locate, and serve the unserved defendants.

I THEREFORE ORDER that plaintiff Brandon Green’s claims against defendants Esporza, Gaines, Gonzales, and Williams are dismissed without prejudice for failure to timely serve these defendants.

DATED this 6th day of January, 2022.



ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE